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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,330	12/08/2003	Thomas E. Creamer	BOC9-2003-0109US1 (1082-1)	2374

7590 10/06/2006

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/730,330	CREAMER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thjuan P. Knowlin	2614	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/08/03</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
2. Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term “(PSTN)” in claim 1 is used by the claim to mean “packet switched telephone network”, while the accepted meaning is “public switched telephone network.” The term is indefinite because the specification does not clearly redefine the term.
3. The ordinary meaning of this term may be found in Newton’s Telecom Dictionary, Fourth Edition.

***Claim Rejections – 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Novack (US Patent Application Publication, Pub. No.: US 2004/0264673 A1).
2. In regards to claims 1, 5, 9, 10, 12, 16, and 17, Novack discloses a call center (See Fig. 1), method, and machine readable storage comprising: at least one phone handset (See Fig. 1 and individual communications device/wireless device 102) coupled to a gateway (See Fig. 1 and cellular tower 104) to a packet (e.g., public) switched telephone network (PSTN) (See Fig. 1 and switch/PSTN 105) (See page 3, paragraph [0042]); an enterprise application (See Fig. 1, subsystem 195 and application server 185) associated with said at least one handset and at least one data terminal (See Fig. 1 and person computer 101) coupled to said enterprise application and disposed in proximity to each of said at least one handset (See page 3-4, paragraph [0042] – [0043] and page 5, paragraph [0059]); a database (See Fig. 1 and session database 180) of caller information coupled to said enterprise application, each record in said database having a configuration for location based upon a searching key (See page 4, paragraph [0052] and page 5, paragraph [0059]); at least one line information database (LIDB)

disposed in said PSTN and configured to store individual searching keys, each of said individual searching keys having an association with a corresponding subscriber to said PSTN (See page 5-6, paragraph [0062]); a gateway node communicatively linked to both said PSTN and said enterprise application (See page 3, paragraph [0039]); and a query interface to said enterprise application programmed to select records in said database of caller information based upon an individual searching key received from said LIDB through said gateway node (See page 3, paragraph [0035] and page 4, paragraph [0046]).

3. In regards to claims 2, 6, and 13, Novack discloses the call center, method, and machine readable storage, wherein each of said individual searching keys comprises a combination of caller name and a caller address (See page 5-6, paragraph [0062]).

4. In regards to claim 3, Novack discloses the call center, wherein said enterprise application comprises a customer relationship management application (See page 5, paragraph [0059]).

5. In regards to claims 4 and 11, Novack discloses a method and machine readable storage for processing a call in a call center using information stored in a line information database (LIDB), the method comprising the steps of: retrieving a searching key from the LIDB associated with the call (See page 5-6, paragraph [0062]); querying an enterprise application based upon said retrieved searching keys to retrieve caller data (See page 3, paragraph [0035] and page 4, paragraph [0046]); and presenting said caller data to a call center operator processing the call (See page 5-6, paragraph [0062]).

6. In regards to claims 7 and 14, Novack discloses the method and machine readable storage, further comprising the step of presenting an incomplete set of caller data where said searching key cannot be retrieved from the LIDB (See page 6, paragraph [0063]).

7. In regards to claims 8 and 15, Novack discloses the method and machine readable storage, further comprising the step of routing the call to a particular operator based upon said retrieve searching key (See page 5-6, paragraph [0062]).

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Winstead et al (US Patent Application Publication, Pub. No.: US 2005/0078808 A1) teach a system and method for implementation of a called party prepayment plan. Dugan et al (US 6,788,649) teach a method and apparatus for supporting ATM services in an intelligent network. Ely et al (US 6,115,737) teach a system and method for accessing customer contact services over a network

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Thjuan P. Knowlin', with a large, stylized loop at the end.

THJUAN P KNOWLIN  
PATENT EXAMINER  
TECHNOLOGY CENTER 2600